

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Min LI

Serial No. 09/726,624

Filed: November 30, 2000

Attorney Docket No. 01107.00063

Group Art Unit: 1627

Examiner: P. Ponnaluri

#5/B
AKO
4-25-02

For: METHOD OF DETECTION UTILIZING MODIFIED BACTERIOPHAGE

RESPONSE TO RESTRICTION REQUIREMENTAssistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed March 4, 2002, Applicants elect claim Group I, i.e.,
claims 1, 5, 9, 17, and 22.

Cancel claims 38-44 drawn to non-elected subject matter. Please add the following claims:

B1
Sub 1
04/26/2002 HDENDY 00000003 190733 09726624
01 FC:203 90.00 CH

45. (New) The method of claim 1 wherein the virus is a bacteriophage.

46. (New) The method of claim 1 wherein the protein is a cellular protein.

47. (New) The method of claim 1 wherein the sample is a clinical sample.

48. (New) The method of claim 5 wherein the virus is a bacteriophage.

49. (New) The method of claim 5 wherein the protein is a cellular protein.

50. (New) The method of claim 5 wherein the sample is a clinical sample.

51. (New) The method of claim 9 wherein the virus is a bacteriophage.

52. (New) The method of claim 9 wherein the sample is a clinical sample.

53. (New) The method of claim 9 wherein the cellular protein is a receptor or channel protein.

54. The method of claim 9 wherein the cellular protein is N-methyl D-aspartate receptor.

55. The method of claim 9 wherein the cells are in culture.

56. The method of claim 9 wherein the cells are *in vivo*.

FAX RECEIVED

APR 05 2002

GROUP 1600

U.S. Application No.: 09/726,624

Attorney Ref. No. 001107.00063

Page 2

- B1
Contd
Sub
8/
57. The method of claim 9 wherein the ligand expressed on the surface of the virus is selected from the group consisting of the peptide whose amino acid sequence is set forth as SEQ ID NO:2 and the peptide whose amino acid sequence is set forth as SEQ ID NO:3.
58. The method of claim 17 wherein the bacteriophage expresses on its surface at least 100 copies of the ligand.
59. The method of claim 17 wherein the bacteriophage expresses on its surface at least 400 copies of the ligand.
60. The method of claim 17 wherein the protein is a cellular protein.
61. The method of claim 17 wherein the sample is a clinical sample.
62. The method of claim 22 wherein the bacteriophage expresses on its surface at least 100 copies of the ligand.
63. The method of claim 22 wherein the bacteriophage expresses on its surface at least 400 copies of the ligand.
64. The method of claim 22 wherein the sample is a clinical sample.
65. The method of claim 22 wherein the cellular protein is a receptor or channel protein.
66. The method of claim 22 wherein the cellular protein is N-methyl D-aspartate receptor.
67. The method of claim 22 wherein the cells are in culture.
68. The method of claim 22 wherein the cells are *in vivo*.
69. The method of claim 22 wherein the ligand expressed on the surface of the bacteriophage is selected from the group consisting of the peptide whose amino acid sequence is set forth as SEQ ID NO:2 and the peptide whose amino acid sequence is set forth as SEQ ID NO:3.

U.S. Application No.: 09/726,624

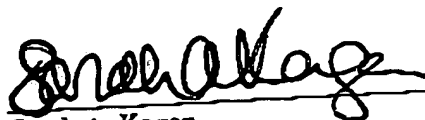
Attorney Dkt. No. 001107.00063
Page 3

The fee of \$90.00 for 10 additional claims over 20 should be charged to our Deposit Account
No. 19-0733.

Respectfully submitted,

Date: April 3, 2002
April 4, 2002

By:



Sarah A. Kagan
Reg. No. 32,141

OFFICIAL

BANNER & WITCOFF, LTD.
Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001
(202) 508-9100

1603



RESTRICTION ELECTION FACSIMILE TRANSMISSION

FAX RECEIVED
APR 05 2002
GROUP 1600

DATE: *April 4, 2002*
FROM/ATTORNEY: *Sarah A. Kagan*
FIRM: *Banner & Witcoff*
PAGES, INCLUDING COVERSHEET: *4*
PHONE NUMBER: *202-508-9151*

TO EXAMINER: P. Ponnaluri

ART UNIT: 1627

SERIAL NUMBER: 09/726,624

FAX/TELECOPIER NUMBER: (703) 308-4315

**PLEASE NOTE: THIS FACSIMILE NUMBER IS TO BE USED ONLY
FOR RESPONSES TO RESTRICTIONS.**

COMMENTS: _____

IF YOU HAVE NOT RECEIVED ALL THE PAGES OF THIS TRANSMISSION, PLEASE CONTACT THE ATTORNEY AT THE
TELEPHONE NUMBER LISTED ABOVE.

IN COMPLIANCE WITH 1096 OG 30, THE FILING DATE ACCORDED EACH OFFICIAL FAX TRANSMISSION WILL BE
DETERMINED BY THE FAX MACHINE DATE STAMP FOUND ON THE LAST PAGE OF THE TRANSMISSION, UNLESS THAT
DATE IS A SATURDAY, SUNDAY, OR FEDERAL HOLIDAY WITHIN THE DISTRICT OF COLUMBIA, IN WHICH CASE THE
OFFICIAL DATE OF RECEIPT WILL BE THE NEXT BUSINESS DAY.

THE DOCUMENT(S) ACCOMPANYING THIS FACSIMILE TRANSMISSION CONTAIN(S) INFORMATION FROM THE UNITED
STATES PATENT AND TRADEMARK OFFICE WHICH IS CONFIDENTIAL AND/OR LEGALLY PRIVILEGED. THIS
INFORMATION IS FOR THE USE OF THE INDIVIDUAL OR FIRM NAMED ON THIS SHEET. IF YOU ARE NOT THE INTENDED
RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR THE TAKING OF ANY
ACTION IN RELIANCE ON THE CONTENTS OF THIS INFORMATION IS STRICTLY PROHIBITED. THE DOCUMENTS SHOULD
BE RETURNED TO THE PATENT AND TRADEMARK OFFICE IMMEDIATELY. IF THIS FACSIMILE IS RECEIVED IN ERROR,
PLEASE NOTIFY THE ATTORNEY LISTED HEREON IMMEDIATELY.